

**In The Drawings**

The attached sheet of drawings includes a color drawing/photo of Fig. 14. This sheet replaces the original sheet including Fig. 14. The attached sheet is a color photo of Fig. 14 to overcome the Draftsman rejection. No other changes have been made to Fig. 14.

Attachment: Replacement Sheets (Three (3) color drawings/photographs)

## **REMARKS/ARGUMENTS**

Claims 1, 3, 9, 11-25, 27 and 28 are pending in the present application. Claims 2, 4-8, 10 and 26 have been canceled. Claims 1, 9, 11-16, 19, 23, 25 and 27 been amended to better describe the present invention. Claim 28 has been added.

1. The Examiner objected to the disclosure because of informalities. The specification has been amended to overcome the objection.

2. The Examiner objected to claim 11 because of informalities. Claim 11 has been amended to over come the objection.

3. The Examiner provisionally rejected claims 1, 2 and 4-25 under U.S.C. 101 (a statutory type double patenting rejection) as claiming the same invention as that of claim 1 and 3-24 of copending Application No. 10/712,818. Claims 2, 4-8 and 10 have been canceled. Claims of copending application have been amended to make this rejection moot.

4. Claims 1, 2, 4-8, 16-18, 24 and 25 stand rejected under 35 U.S.C. §102(b) as being anticipated by Gysling et al. (US Patent 6,354,147).

Regarding independent claim 1, Examiner contends that Gysling ('147) discloses all the limitations of these claims. Applicants respectfully traverse the Examiner's rejection in light of the newly amended claim 1.

Claim 1 has been amended to clearly define the present invention. Claim 1 has also been amended to include the limitation of dependent claims 9 and 26. As noted by the Examiner, Gysling ('147), does not show such these features. Therefore, claim 1 is not anticipated by Gysling ('147) for at least these reasons, and it is respectfully submitted that this rejection is now moot.

5. Claims 16-18, 24 and 25 variously depend on independent claim 1, and therefore are not anticipated by Gysling ('147) for at least the reasons provided hereinbefore. Claims 2 and 4-8 have been canceled. It is respectfully submitted that this rejection is now moot.

6. Claims 3, 9-12, 19-23, 26 and 27 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Gysling ('147) in view of Gysling et al. (US 2004/006069). While the Examiner has cited Gysling ('069) in support of his obviousness rejection, Applicants contend Gysling ('069) is not prior art to the present invention. The priority date of the present invention is November 12, 2002 (U.S. Prov. Appln. No. 60/425,436) and November 15, 2002 (U.S. Prov. Appln. No. 60/426,724). The filing date of Gysling ('069) is April 10, 2003, which is after the priority date of the present invention.

While Gysling ('069) does claim priority to a number of applications that predate the priority date of the present invention, none of these applications that predate the priority of the present invention teach or show a sensor comprising "a piezoelectric film material having a pair of conductors disposed on opposing surfaces, whereby the piezoelectric film is attached to the outer surface of the pipe", as claimed in newly amended claim 1.

Claims 3, 9, 11, 12, 19-23 and 27 variously depend from claim 1, therefore it is respectfully requested that claims 3, 9, 11, 12, 19-23, and 27 be reconsidered and allowed for at least the reasons provided hereinbefore. Claims 10 and 26 have been canceled.

7. Newly added dependent claim 28 depends from claim 1, and therefore is not anticipated or obvious for at least the reasons provided hereinbefore, and it is respectfully requested that this claim be allowed.

8. Claims 13-15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all limitations of the base claim and any intervening claims. Applicants reserve the right to amend these claims in allowable form at a later date.

9. The draftsman objected to Fig. 14. Applicants have submitted replacement drawings in the form of a color drawing/photograph. The appropriate petition and fee is submitted herewith.

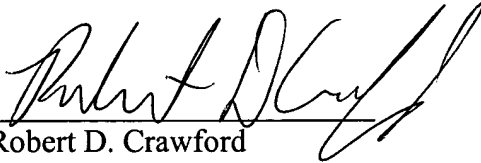
10. In view of the foregoing, it is respectfully requested that the application be reconsidered and allowed. If the Examiner is not prepared to allow all the claims in view of the discussion herein, Applicants hereby respectfully request a phone interview with the Examiner at the Examiner's

earliest convenient. Applicants' counsel can be reached at 203-626-3502 (direct dial) between the hours of 8:00 a.m. and 5:00 p.m., or by E-mail at [rcrawford@cidra.com](mailto:rcrawford@cidra.com).

11. A petition for a three-month extension of time under 37 CFR 1.136 is submitted herewith. Further, a petition and fee transmittal under 37CFR 1.84 (a) (2) is submitted herewith. A check is enclosed for to cover the fees of **\$130.00** for the petition and of **\$1020.00** for the three (3) month extension of time. Any deficiency or overpayment should be charged or credited to Deposit Account No. 50-0260 Order No. CC-0676.

Respectfully submitted,

Mark R. Fernald et al.

A handwritten signature in black ink, appearing to read "Robert D. Crawford", is written over a horizontal line.

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